IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Attorney Docket No.: 31132.172/ 99999999999

Berry PC792.00

Serial No.: 10/663,554 Group Art Unit: 3733

Filed: September 16, 2003 Examiner: Swiger III, James L.

Customer No.: 46333 For: Expansion Tool For Adjustable Spinal

Implant

Commissioner for Patents Mail Stop Amendment P.O. Box 1450 Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

In response to the Office action of January 17, 2007, please consider the remarks that follow:

Listing of the Claims begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.